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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/722,664	11/28/2000	Dan Shimizu	723-969	5289

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EXAMINER	
JONES, SCOTT E	
ART UNIT	PAPER NUMBER
3713	

DATE MAILED: 03/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/722,664	SHIMIZU ET AL.	
	Examiner	Art Unit	
	Scott E. Jones	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 November 2000.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-13, 16-20 and 23 is/are rejected.
- 7) Claim(s) 14, 15, 21 and 22 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 November 2000 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4,6</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:
 - On pages 1-6, and 19 applicant should provide corresponding missing utility patent application numbers and filing dates.
 - On page 36, line 15, motor control system is labeled (1508), but is labeled (1506) in Figure 10.

Correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 4-12, 16, and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 4 recites the limitation "the status" in line 2. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 6 recites the limitation "the player inputs" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.
6. Claim 7 recites the limitation "the player" in line 1. There is insufficient antecedent basis for this limitation in the claim.
7. Claim 8 recites the limitation "the status" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 3713

8. Regarding claims 16 and 23, the phrase "modulating/demodulating" renders the claim indefinite because it is unclear whether the limitation includes modulating and demodulating, or modulating or demodulating.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-7, 13, 16-20, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Scott-Jackson et al.

Scott-Jackson et al. (U.S. 5,714,981) discloses a gameport communication apparatus and method for use with a computer game system which enables signals to be communicated to/from the computer game system to an external device (controller) through a gameport (expansion box (624)) thereby reducing the burden on the game program executing system.

Scott-Jackson et al. discloses:

Regarding Claim 1:

- a game program executing system (202) executing a game program (Column 1, lines 1-8, 34-36, and Figure 6);
- one or more controllers (606 a-d) supplying user inputs to the game program executing system (Abstract, Figure 6, Column 2, lines 9-19, 33-41, and Column 20, lines 18-53);
- an interface (624) between the controllers and the game program executing system, the interface system being programmable to periodically poll the controller without

involvement of the game program executing system (Column 2, lines 22-32, Column 10, lines 1-48, Column 13, lines 29-59, and Figures 6 and 9).

Regarding Claim 2:

- the interface is programmable to poll the controllers a predetermined number of times between each vertical blanking interval (Abstract, Column 20, lines 39-42, and Column 20, line 64-Column 21, line 29).

Regarding Claim 3:

- the interface is programmable to poll the controllers based on a number of video lines interval (Abstract, Column 20, lines 39-42, and Column 20, line 64-Column 21, line 29).

Regarding Claims 4-7:

- the interface is programmable to polls the status of the controllers. Scott-Jackson's device identifies the activation of one or more buttons or can identify the type of controller being used. (Column 2, lines 42-62, and Column 13, line 60-Column 14, line 12).

Regarding Claim 13:

- a double buffer (temporary buffer and latch buffer) for storing data transferred between the game program executing system and the controller (Column 15, line 54-Column 16, line 17, and Figures 12-13).

Regarding Claims 16 and 23:

- the interface system has a modem to transfer data between the game program executing system and the controller (Column 3, line 51-Column 4, line 5).

Regarding Claim 18:

- the controller including read/write memory (Figure 6, and Column 9, line 42-Column 11, line 11).

Regarding Claim 19:

- a game program executing system (202) executing a game program (Column 1, lines 1-8, 34-36, and Figure 6);
- a controller (606 a-d) supplying user inputs to the game program executing system (Abstract, Figure 6, Column 2, lines 9-19, 33-41, and Column 20, lines 18-53); and
- an interface (624) interfacing between the game program executing system and the controller, the interface including communication circuitry operable in a first mode in which data of a fixed size is communicated between the game program executing system and the controller and in a second mode in which data of variable size is communicated between the game program executing system and the controller (Column 17, lines 12-34, Column 19, lines 33-55, and Figures 6, 8A and 9). Each read data cycle (806) transfers 16 bits of data over each line. However, the system can be configured to more or fewer bits of data for each cycle (806) making the cycle longer or shorter in duration.

Regarding Claim 20:

- a communication memory for storing the variable size data (Column 17, lines 12-34, Column 19, lines 33-55, and Figures 6, 8A and 9).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the

Art Unit: 3713

subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Scott-Jackson et al. in view of Nishiumi et al.

Scott-Jackson et al. (U.S. 5,714,981) discloses that as discussed above with regards to Claims 1-7, 13, 16-20, and 23. Although Scott-Jackson et al. discloses the gameport (interface) can be used with essentially any type of data acquisition device (joystick, gamepad, etc.) it does not explicitly disclose a controller having a vibration circuit for vibrating a housing of a controller.

Nishiumi et al. (U.S. 6,200,253 B1) teaches of a controller pack, which is attached to a game controller that generates a vibration using electric power, and a driver circuit that applies the electric power to the vibration source in response to a command signal from the game machine.

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to utilize Nishiumi's vibration controller pack on one of Scott-Jackson's game controllers. Doing so enables a player to enjoy a game having a controller providing signals that simulate "boating, fishing, and catching" realistically on a home video game machine.

Allowable Subject Matter

13. Claims 14-15, and 21-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rosenthal et al. '535, Poisner '204, Pelkey '311, Svancarek et al. '686, Nishiumi et al. '428, '558, and Bouton et al. '350 disclose game systems having interfaces between input/output devices and a game machine main unit.

Art Unit: 3713

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (703) 308-7133. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

Scott E. Jones
Examiner
Art Unit 3713

SEJ

sej

March 21, 2002

v. martin-wallace
VALENCIA MARTIN-WALLACE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700